IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

Writ Petition No.9565 of 2003

Shankar Jagannath Borate ..Petitioner

vs.

1. Sitaram Namdeo Kudale & Anr...Respondents

Shri P.J.Shinde for petitioner.
Shri A.M.Saraogi for respondents.

CORAM: S.B.MHASE J.
10th March, 2006

P.C.

1. Heard the learned Counsel for the parties.

2. Perused the judgment passed by the Additional District Judge,Satara in Misc.Civil Application No.167 of 1996. It is an application for condonation of delay. The decree was passed on 12th July,1991. However, the application for setting aside the exparte decree was made at a belated stage. It was withdrawn on 26th July, 1996 and thereafter the application for condonation of delay and appeal was filed on 22nd August, 1996. Apart from the time consumed in the restoration application the ground of illness was also pleaded and on merit the Court has come to the conclusion that certificate issued by the doctor is false one. No interference is called for. Petition is rejected.

(S.B.MHASE J.)